

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
NORTHERN DIVISION**

KATHI WEBSTER,)	
)	
Plaintiff,)	
)	
VS.)	No. 3:13-cv-00670
)	Jury Demand
WAL-MART STORES, INC.,)	
)	
Defendant.)	

NOTICE OF REMOVAL

Defendant Wal-Mart Stores, Inc., hereby gives notice of the removal pursuant to 28 U.S.C. § 1441 et. seq., of the following action filed against it: Kathi Webster v. Wal-Mart Stores, Inc.; in the Circuit Court of Jefferson County, Tennessee, No. 23758-III. Copies of the “summons” and complaint are attached as Exhibits A and B, respectively. According to the complaint, Plaintiff is a citizen and resident of the State of Tennessee.

Wal-Mart Stores East, LP, is the entity that operated the store on the date of this accident. It was incorrectly sued as Wal-Mart Stores, Inc. Defendant may be referred to as “Wal-Mart” in this document. It is expected that Wal-Mart Stores East, LP, will be substituted as the proper defendant in this matter.

Defendant Wal-Mart Stores East, LP, is a Delaware limited partnership. WSE Management, LLC, a Delaware limited liability company, is the general partner, and WSE Investment, LLC, a Delaware limited liability company, is the limited partner. The sole member of WSE Management, LLC, and WSE Investment, LLC, is Wal-Mart Stores East, LLC, fka Wal-Mart Stores East, Inc., an Arkansas limited liability company. Wal-Mart Stores East, Inc., was converted to an Arkansas limited liability company on January 25, 2011. Wal-Mart Stores East, Inc.’s parent company is

Wal-Mart Stores, Inc., a Delaware corporation. The principal place of business for all entities mentioned is 702 SW 8th Street, Bentonville, Arkansas.

Jurisdiction is conferred under 28 U.S.C. § 1332 relating to diversity of citizenship of the parties. The parties are citizens of different states.

The amount in controversy is in excess of the federal jurisdictional requisite of \$75,000. The complaint seeks judgment "in an amount of no less than Two Hundred Thirty-Five Thousand Dollars (\$235,000)".

Defendant Wal-Mart Stores East, L.P., was served with process on October 16, 2013. Fewer than thirty days have expired since service of process on Defendant. This Notice of Removal is timely filed as set forth in 28 U.S.C. § 1446(b).

WHEREFORE, Defendant hereby gives notice of the removal of this action pending in the Circuit Court of Jefferson County, Tennessee, to the United States District Court for the Eastern District of Tennessee, Northern Division, and requests that the proceedings be held thereon.

s/ Meredith L. Hiester
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Attorneys for defendant

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served by U.S. mail, postage prepaid, upon:

Denise Terry Stapleton, Esq.
TERRY TERRY & STAPLETON
918 West First North Street
P. O. Box 724
Morristown, TN 37815

on this the 12th day of November, 2013.

s/ Meredith L. Hiester
Meredith Hiester

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